



PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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 Patrick C. KUNG *et al.*)
)
 Application No.: 09/830,033) Group Art Unit: 1631
)
 Filed: October 22, 2001) Examiner: Cheyne D. Ly
)
 For: PHYTOMICS: A GENOMIC-BASED APPROACH TO)
 HERBAL COMPOSITIONS)

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Sir:

**PRELIMINARY AMENDMENT AND REQUEST FOR
CONTINUED EXAMINATION UNDER 37 C.F.R. 1.114**

This Preliminary Amendment Response is filed in reply to the Final Office Action dated February 24, 2004, the period for response having been extended from August 16, 2004 to March 16, 2005, by payment of a five-month extension of time fee. A Notice of Appeal to the Board of Patent Appeals and Interferences was filed in this application on August 16, 2004, with a three month extension of time fee. This Preliminary Amendment is being submitted along with a Request for Continued Examination under 37 C.F.R. § 1.114, a transmittal for which is attached hereto.

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